

**MINUTES OF THE
POLITICAL SUBDIVISIONS INTERIM COMMITTEE**
Wednesday, April 18, 2001 - 9:00 a.m. - Room 223 State Capitol

Members Present:

Sen. Carlene M. Walker, Senate Chair
Rep. David L. Hogue, House Chair
Sen. Beverly Ann Evans
Sen. David L. Gladwell
Sen. Paula F. Julander
Rep. Stephen D. Clark
Rep. David N. Cox
Rep. Scott Daniels
Rep. Fred J. Fife III
Rep. Kory M. Holdaway
Rep. Joseph G. Murray
Rep. Darin G. Peterson
Rep. Max W. Young

Members Excused:

Rep. Richard M. Siddoway

Staff Present:

Mr. Joseph Wade,
Research Analyst
Mr. Keith Woodwell,
Associate General Counsel
Ms. Joy L. Miller,
Legislative Secretary

Note: A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

1. **Call to Order** - Rep. Hogue called the meeting to order at 9:10 a.m.
2. **Introduction of Committee Members** - Members of the committee introduced themselves and gave a brief description of their background.
3. **Approval of Minutes of November 15, 2000 Meeting** -

MOTION: Rep. Murray moved to approve the minutes of November 15, 2000. The motion passed unanimously.

4. **Review of Interim Procedures** - Mr. Wade explained the subject area for the Political Subdivisions Interim Committee. He noted that the committee chairs jointly determine the monthly agenda. All information is mailed approximately two weeks prior to each meeting.
5. **Review of Potential Study Items** - Rep. Hogue referred to the list of potential study items relating to political subdivisions. He stated that the legislator sponsor of the proposed study items have been invited to brief the committee on the need for the study item.

Mr. Mark Bedel, Governor's Office of Planning and Budget, stated the Quality Growth Commission has been given a number of specific items to consider and make recommendations.

He distributed a summary report of the commission's activities. He briefly reviewed the items the commission is working on which are implementing quality growth, formation of quality growth areas, land conservation, net gain of private land, and efficient infrastructure investment. Mr. Bedel requested the commission be allowed time on the agenda during the interim to update the committee. It is the commission's goal to develop a comprehensive packet of recommendations for the legislature to consider later in the year.

Rep. Styler discussed School and Institutional Trust Lands and Local Ordinances. He said there is a question of whether these lands are public or private. They are public lands that are held for a private purpose and are not required to follow local planning and zoning ordinances. He requested the committee study whether to make the use and development of these lands subject to local zoning or other regulatory ordinances.

Sen. Hale reviewed County Option for Affordable Housing. She pointed out that the average price of a home in Utah is \$170,000. The state of Pennsylvania has been very successful in addressing affordable housing needs by allowing their counties to raise the recorder fees for deeds. She requested that counties be given the option of raising their recording fees if necessary to meet the needs of their communities. She distributed a copy of Utah Issues that contained information on deeds recorded in several Utah counties.

Rep. Ure discussed Eminent Domain. He felt there were some abuses taking place regarding eminent domain. Problems with property takings for the Legacy Highway have cost the state between \$200-\$300 million dollars in legal fees. He requested that the committee address the many problems involved with this issue.

Rep. Seitz referred to Special District Board Elections. He requested the committee study the election of special district board members in districts that may impose a property tax. He also reviewed District Taxing authority and requested the committee study the authority of water conservancy districts and special districts to assess taxes without having an elected board. The committee determined that these items could be combined.

Mr. Steve Barth, Utah Council of Land Surveyors, discussed the issues that were requested by Rep. Neil Hendrickson. Surveying is a complicated issue and touches on many different areas. He said they would like to create a subdivision and platting act that is specific to subdividing and platting land in one concise area within the code. Each county has their own approval process but they all fall within the state code. Mr. Barth indicated the council has asked the Utah League of Cities and Towns and the Utah Association of Counties to meet with private land surveyors in an effort to resolve the many problems.

Mr. Matt Clark, Land Surveyors, said there are many things at the county and municipal

levels that are the same and should be made part of the same statute to simplify the process.

Rep. Hendrickson's study item concerning Culvert Pipe Specifications will be referred to the Transportation Interim Committee.

Rep. Max Young discussed County Boundary Changes. He commented on the issue regarding Green River City. He also discussed a problem with a Grand County water and sewer district serving a rapidly growing area of San Juan County.

Rep. Thompson stated that entities should be brought together to protect the citizens and the tax base. He requested the committee study Compliance with Local Land Use Ordinances to determine whether to require state and local entities to comply with municipal and county land use ordinances. He also requested the committee review Mandates to Local Governments to study controls on mandates that greatly affect the financial status and tax base of a city.

Sen. Gladwell discussed Independent Special District Recodification. Independent special districts are entities created by a municipality or county. After their creation they have independent status. He said he would request that the committee seek permission to form a special district subcommittee to finish the work that has been started.

MOTION: Sen. Gladwell moved to authorize the chairs to request from Legislative Management Committee the formation of a subcommittee to study withdrawal and related bonding and finance issues dealing with independent special districts. The subcommittee would consist of four members and would hold four meetings. The motion passed unanimously. Sen. Evans was absent for the vote.

Sen. Stephenson discussed his proposal for Construction Bid Limits. He said he introduced a bill during the last session that would have provided penalties and accountability for construction bid limits of local governments. Local governments agreed they would work with the Associated General Contractors and other interested parties during the interim to develop an agreeable resolution to all parties. When a bill is prepared, he would like the committee to review it.

Rep. Hogue referred the committee to page 18 of the mailing packet. The memorandum to Sen. Hillyard from Brian Cannell concerns study item Municipal Disconnection Procedures. He asked members to read the correspondence to familiarize themselves with the issue.

Rep. Daniels requested that study item Sales Tax for Open Space Preservation be grouped with the issues from the Quality Growth Commission.

Sen. Gladwell reviewed study item Jurisdiction of Cities and Towns sponsored by Sen. Valentine. The committee discussed whether this issue could possibly be combined with the study items proposed by Rep. Styler and Rep. Thompson.

6. Prioritization of Study Items Through Completion of a Survey - Members were asked to complete their prioritized list of study items and turn them in to the chairs.

MOTION: Rep. Cox moved to adjourn. The motion passed unanimously. Chair Hogue adjourned the meeting at 10:55 a.m.